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United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General**

Summary

The present report provides a description of the activities, achievements and difficulties faced by the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), describing the role played in supporting African States to respond effectively and efficiently to the incidences of crime at national, transborder and transnational levels that have become major impediments to democratic, political and socio-economic development.

The Institute's precarious financial situation persisted and negatively affected its operations, notwithstanding the political support of its member States and other stakeholders, the Governing Board, the Economic Commission for Africa, the Organization of African Unity (currently, the African Union), the Commission on Crime Prevention and Criminal Justice and the General Assembly.

The Governing Board of the Institute approved the budget and work programme for the biennium 2002-2003 in December 2001. The approved funded activities of the Institute's work programme were implemented in a timely manner, as planned, and measures were taken to ensure quality performance. However, owing to budgetary constraints, the delivery capacity of the Institute remained low.

Pursuant to General Assembly resolution 56/122 and the decisions adopted by the Governing Board at its seventh session, concrete follow-up measures were elaborated. When fully implemented, they will provide a sound basis for the sustenance and vitality of the Institute.

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** The submission of the report was delayed owing to the necessity of further consultations between the Office of Programme Planning, Budget and Accounts in New York, the Centre for International Crime Prevention in Vienna and the United Nations African Institute for Crime Prevention in Kampala.

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Contents

		Paragraphs	Page
I.	Introduction	1–4	3
II.	Programme activities	5–22	3
	A. Governing Board	5–6	3
	B. General direction and management	7–12	3
	C. Crime prevention and criminal justice activities	13–15	4
	1. Extradition and mutual legal assistance in Africa	14	4
	2. Trafficking in firearms and ammunition in Africa	15	4
	D. Other activities	16–22	5
	1. Effective cooperation between UNAFRI and its stakeholders	16–18	5
	2. Cooperation with other agencies	19–22	5
III.	International cooperation and partnership	23–27	6
IV.	Funding and support	28–34	6
	A. Assessed financial contributions of member States	29	7
	B. United Nations grant	30	7
	C. Grants for funded projects	31	7
	D. Other sources of income	32–34	7
V.	Strategies for sustaining the Institute	35–40	8
VI.	Conclusions	41–43	8

I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 56/122 of 19 December 2001 and updates the report submitted to the Assembly at its fifty-sixth session (A/56/151). It focuses on the activities, operations and funding of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) and includes concrete proposals for programmatic activities aimed at strengthening crime prevention and criminal justice systems in Africa.

2. In Africa, the ever increasing incidences of both ordinary and other forms of crime at both national and transnational levels have become major impediments to democratic, political and socio-economic development. The perceived growth and seriousness of cross-border economic crimes and transnational criminality, including the proliferation of illicit small arms and light weapons with the attendant civil disorders and insecurity, illicit drug trafficking, motor vehicle hijacking and trafficking in human beings, reveal the widening operations of organized crime that continue to plague many parts of the continent with potential harmful effects on individuals and society. Such situations are aggravated in many cases by endemic corruption and mismanagement that weaken the ability of the criminal justice structures to respond to the challenge. Consequently, it is vital for African countries to develop well-planned, responsible crime prevention strategies, guided by policy-oriented research, in order to strengthen the justice systems and make them effective, efficient and humane, based on the rule of law. In view of the increasing transborder and transnational criminality, there is a continuing need for subregional and regional active cooperation and collaboration in crime prevention and criminal justice. Consequently, the Institute has a significant role to play in promoting such cooperation and collaboration among African Governments.

3. During the reporting period, the Institute continued to receive political support from its member States, its Governing Board, the Commission on Crime Prevention and Criminal Justice, the Economic Commission for Africa (ECA), the General Assembly, the Organization of African Unity (OAU, currently the African Union) and other stakeholders. The General Assembly's grant and the assistance and technical cooperation, including working partnerships with donor Governments and agencies, enabled the Institute to implement a number of important activities.

4. The Institute's precarious financial situation persisted and negatively affected its operations. As a result, most of the approved substantive activities were not executed. Regrettably, the response to the continued efforts to mobilize member States' assessed contributions remained disappointing, as only a handful of member States paid their contributions. However, within its limited financial resources, the Institute executed a number of significant activities of its approved work programme for the benefit of the African countries.

II. Programme activities

A. Governing Board

5. The seventh session of the Governing Board of the Institute was held in Kampala on 5 and 6 December 2001. It approved the Institute's budget and work programme for the biennium 2002-2003, stressing that successful implementation of the work programme was intertwined with the future funding of the Institute. It expressed gratitude to the General Assembly for continuation of its grant to the Institute, which has been crucial for its survival. The work of the Institute was commended, notwithstanding all the major financial constraints. The recommendations of the Meeting of African Heads of Missions resident in Kampala on resource mobilization for the Institute, convened by the Institute on 25 October 2001, were endorsed.

6. The Board unanimously elected the Gambia to the chairmanship of the Governing Board. Additionally, the Board urged the hastening and finalization of the recruitment of the new Director and Deputy Director.

B. General direction and management

7. The priorities that guided the activities of the Institute during the reporting period included the approved work programme, the developed strategies for mobilization of funding support to ensure the sustenance of the Institute and the strengthening of international cooperation and partnership. Accordingly, the specific activities that were implemented were

focused on deepening the impact and outreach of the Institute, including the enhancing of regular flows of information and involvement of all its stakeholders in the activities of the Institute. In addition, concrete activities were designed and implemented to map out resource mobilization strategies. Action that was previously taken to coordinate activities and initiate collaborative action in research, training, information and documentation was continued.

8. The Meeting of African Heads of Missions resident in Kampala, referred to in paragraph 5, emphasized the pressing need for the Institute to show its significance and relevance to all countries of the African region in addition to demonstrating its aggressiveness in packaging and marketing its activities. It recommended concrete proposals for action relating to mobilization of funding support. Moreover, it emphasized, among other things, the intensification of the Institute's communication with member States and other stakeholders in order to ensure the regular flow of information and involvement of member States and stakeholders in the Institute's activities.

9. The Institute's Medium-Term Strategy and Action Plan 2002-2007 was developed and the Implementation Plan and Agenda for Action were charted out. Following the direction of the Governing Board, the Institute embarked on implementing the Agenda for Action in close consultation with the Chairman of the Board.

10. The approved funded activities of the Institute's work programme were implemented in a timely manner, as planned, and steps were taken to ensure quality performance. However, owing to budgetary constraints resulting from non-payment of assessed contributions by the majority of member States, the delivery capacity of the Institute remained very low, notwithstanding the positive response from some member States which were able to pay their assessed contributions.

11. The task of developing project proposals was continued, with emphasis on the subregional approach and in response to the needs of member States, in close consultation with possible donors, including foundations, civil society and intergovernmental bodies.

12. The host Government continued to provide valuable assistance, guidance and political support to the Institute at various forums within and outside the region. It also continued to honour its commitment and obligations regarding the provision of the facilities and the outstanding renovations of the premises.

C. Crime prevention and criminal justice activities

13. The Institute continued to perform below its optimal capacity, owing to its unsatisfactory financial situation, which affected the execution of the approved activities. While, as in the previous reporting period, most of the executed activities were undertaken largely through the financial assistance of the Departments of State and Justice of the United States of America and other international cooperation and partnership arrangements, certain planned activities implemented during this period were also funded by member States' contributions.

1. Extradition and mutual legal assistance in Africa

14. The implementation of the planned activities of the final phase of this project were postponed to the latter part of 2002, owing to unforeseen urgent commitments of the secretariat of the then OAU. The latter, however, assured the Institute of its commitment to finalize expeditiously the drafts of the two important conventions by the relevant meetings of the legal experts. Their recommendations will be considered by Attorneys General and Ministers of Justice and by the Council of Ministers and the Summit of the African Union. The Institute, as indeed its partners in this project, are encouraged by the continuing positive consultations with the secretariat of the African Union in pursuit of the execution of the project. As it will be recalled, this project is being undertaken as an aspect of the Institute's continuing technical cooperation with the Department of Justice of the United States.

2. Trafficking in firearms and ammunition in Africa

15. This is another project involving the continuing technical cooperation of UNAFRI with the Government of the United States through its Department of State. The initial stage of developing broad outlines of a project for an interim two-year programme to establish an African firearms centre was undertaken and the elaboration of a project as part of a two-year interim

programme was accomplished. It is planned that, by the end of December 2002, the design of a detailed project for the establishment of an African firearms centre with clearly defined goals and objectives, time frame and benchmarks will be completed. Meanwhile, the Institute continued its partnership with subregional groupings of member States in close cooperation with concerned civil society organizations, which led to the implementation of a number of subregional initiatives to address the serious problem of trafficking in small arms and light weapons in many parts of Africa. To this end, the Institute provided resource persons, including technical assistance, in organizing the following activities:

(a) The Workshop on Improving Law Enforcement and Operational Capacity to Tackle the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, held in Kampala on 28 and 29 June 2001, attended by officials from 11 member States of the subregion and agencies operating in the field. The agencies cooperating in the activity included the Inter-Government Authority for Development, the Institute for Security Studies, based in South Africa, UNAFRI, the Security Research and Information Centre, based in Kenya, and Saferworld, based in the United Kingdom;

(b) The Workshop on Adopting a Curriculum for the Training of Trainers in Small Arms Control in the Great Lakes Region and the Horn of Africa, organized jointly by the United Nations Regional Centre for Peace and Disarmament in Africa, the United Nations Development Programme (UNDP) and UNAFRI, held in Nairobi on 30 and 31 July 2001. The participants were government officials from the countries in the subregion with resource persons from within and outside Africa. A draft curriculum was produced;

(c) The Institute attended, as observer, the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held at United Nations Headquarters from 9 to 20 July 2001.

D. Other activities

1. Effective cooperation between UNAFRI and its stakeholders

16. The Institute launched a study, which is an approved activity of its work programme for 2002, on effective cooperation between the Institute and its stakeholders, with the objective of stepping up resource mobilization to strengthen the capacity of UNAFRI. The expected outcome will be a transformed, vibrant and relevant Institute, enjoying the close cooperation and support of its member States and other stakeholders. The questionnaire designed for the study has been sent to all the 29 States members of the Institute and concerned international agencies, academic institutions and civil society. The report on the study is expected to be finalized by December 2002.

17. The Institute continued to seek sponsors of its project proposal on juvenile justice reform measures in Africa. Approaches have been made to entities in the United Nations system, including UNDP and the United Nations Children's Fund, for possible sponsorship.

18. The Institute continued to publish and circulate its newsletter both in English and French on a quarterly basis. The Institute Information/Documentation Adviser participated, serviced and provided technical assistance to a number of locally organized workshops and seminars. Under its information and documentation programme, the Institute designed and implemented activities to enhance information and communication flows in the Africa region, as well as to strengthen the capacity of the information technology. The Institute's Internet and web site facilities have been greatly improved.

2. Cooperation with other agencies

19. The Institute, in response to an invitation by the Mozambican Intersectoral Commission, through the support of UNDP, provided advisory services in the formulation of policy relating to the social rehabilitation and reintegration of prisoners. The Institute representative visited Maputo from 28 July to 5 August 2001. The UNAFRI mission to Maputo was followed by a visit to the Institute by a delegation of three officials from the Mozambican Intersectoral Commission, who came to familiarize themselves with the implementation of the project being undertaken by the Institute in this regard in Uganda's prisons, in close cooperation and partnership with the Ugandan Prisons Service.

20. A staff member of the Institute, at the invitation of UNAFRI, fully participated as a resource person in a

Kenya-UNAFRI Joint Seminar on Effective Administration of Juvenile Justice, held in Nairobi from 14 to 17 August 2001. The Institute also assisted in the preparation, organization and servicing of the first International Conference on Health Conditions in African Prisons, held in Kampala from 26 to 30 November 2001. The Institute representative served as co-rapporteur of the Conference.

21. In close cooperation with the Central, Eastern and Southern Africa Heads of Correctional Service, the Institute participated in the development of the draft African charter on prisoners' rights. The Institute has been called upon to assume a leadership role in following up this development to the eventual adoption of the draft as an African charter.

22. The Institute also participated in a number of regional, subregional and international meetings and seminars held in different parts of the world. At the same time, it participated and provided technical assistance and support with respect to locally organized workshops and seminars on crime prevention, law reform, treatment of offenders and social rehabilitation of prisoners, community service and human rights. Simultaneously, the Institute continued its cooperation with universities and other academic and research institutions on issues of common concern in crime prevention and criminal justice.

III. International cooperation and partnership

23. In line with its mandate to foster international cooperation and collaboration, the Institute continued to work closely and receive technical assistance support from the United Nations Centre for International Crime Prevention (CICP) of the Office for Drug Control and Crime Prevention of the Secretariat. In addition, the Institute maintained its cooperation with the other institutes of the United Nations Crime Prevention and Criminal Justice Programme Network. In this regard, UNAFRI continued to participate in the coordination meetings of the Criminal Justice Programme Network, including the annual conference of the International Scientific and Professional Advisory Council (ISPAC) and the 16th coordination meeting of the United Nations Crime Prevention and Criminal Justice Programme Network, which was followed by the International Seminar on Central Issues in Crime Prevention and Criminal Justice, held in Helsinki from 13 to 15 December 2001. The Institute's effective participation in the two activities was sponsored by the European Institute for Crime Prevention and Control (HEUNI) in Helsinki.

24. At the invitation of CICP, the Institute participated in the meeting of the Group of Experts on Crime Prevention, which was convened by the Secretary-General and held in Vancouver, Canada, from 21 to 24 January 2002. The meeting was hosted and sponsored by the Government of Canada.

25. The representative of the Institute attended the eleventh session of the Commission on Crime Prevention and Criminal Justice and participated in the workshop organized by the United Nations Crime Prevention and Criminal Justice Programme Network during the session on the theme "Criminal justice reform, lesson learned, community involvement and restorative justice". The representative presented a paper entitled "The Involvement of Local Communities in Crime Prevention: the Case of African Countries".

26. The implementation of the International Crime Victim Survey in the selected southern African countries, involving the cooperation of and partnership with the United Nations Interregional Crime and Justice Research Institute, UNAFRI and the University of South Africa, was continued.

27. UNAFRI continued to maximize its participation in various conferences, meetings, seminars and workshops at subregional, regional and international levels to establish new contacts while at the same time consolidating old contacts. Such occasions offer the Institute opportunities to market itself, exploring and seeking possible donors and negotiating possible cooperation and partnership in joint activities in crime prevention and criminal justice.

IV. Funding and support

28. The total resources of the Institute for the period 1 January 2001 to 30 June -2002 amounted to US$ 707,450. The funds were derived from (a) assessed contributions of member States ($384,628); (b) the 2001 portion of the United Nations grant ($190,100); (c) grants for specific projects ($80,000); (d) other income received from the rental of Institute premises or facilities and interest on deposits

($42,722); and (e) financial assistance by the Government of Uganda ($10,000).

A. Assessed financial contributions of member States

29. The Governments of Burkina Faso, Cameroon, Nigeria, Tunisia and Uganda paid their assessed contributions and arrears for the period 2001-2002, which amounted to $384,628. Of this amount, Nigeria paid all its outstanding arrears for the period 1989-2002, amounting to $333,980. However, the outstanding balance in assessed financial contributions of member States is still very high. As of 1 June 2002, out of the total assessed contributions of $3,332,316 for the period 1989-2002, only $767,421 had been received, leaving an outstanding balance of $2,564,895. The Institute continued its effort in mobilizing member States' contributions.

B. United Nations grant

30. The United Nations grant to the Institute was continued in the biennium 2002-2003 in the amount of $380,300. The portion for the year 2002 of the grant amounting to $190,100 continued to cover the salaries of the Director, Deputy Director, Research Adviser, Information/Documentation Adviser, Training Adviser, Administrative/Finance Officer and other operational expenses. The Institute was once again greatly relieved with the extension of the grant, which constitutes a critical and reliable basis for its sustenance to date. The Governing Board at its seventh session expressed special gratitude to the General Assembly for approving funding support for UNAFRI.

C. Grants for funded projects

31. The Institute completed the two projects, which were funded by the Government of the United States of America. The remaining balance of $50,000, which the Institute had at the beginning of the year 2002 on the Trafficking in Firearms Project, is intended to finance the initial establishment of an African firearms centre, as recommended by the Regional Workshop on Illicit Trafficking in Firearms, held in June 2001. With regard to the outstanding balance of $30,000 on the Extradition Project, the funds will be used towards the anticipated expenses relating to the meeting of legal experts that will be convened to discuss the draft African conventions on extradition and mutual legal assistance.

D. Other sources of income

32. The Institute generated income amounting to $42,722 for the period January 2001 to June 2002 from its rented facilities and financial assistance of $10,000 from the Government of Uganda. As more new staff are recruited, however, the stock of unoccupied facilities is reduced. Hence, the reduction in revenue from this source.

33. At its sixth session, held in Kampala on 29 and 30 May 2000, the UNAFRI Governing Board requested the secretariat of UNAFRI to prepare a paper on the emoluments and other benefits of staff and submit it to the Board at its next session. At its seventh session, held in Kampala on 5 and 6 December 2001, the Governing Board, after considering a comparative study of salary scales offered by similar institutions in Africa and by those of ECA, endorsed, subject to the availability of funds, the recommendations that: (i) UNAFRI salaries and emoluments be adjusted to correspond with those of ECA; and (ii) the secretariat of UNAFRI undertake the restructuring of the Institute's salary scale followed by job competence analysis. The Board was also informed that since the new salaries were expected to be paid from the United Nations grant, they could only become effective, at the earliest, in the biennium 2004-2005, since the programme budget for the biennium 2002-2003 containing the current scales has been already considered by the General Assembly.

34. It is the opinion of the Secretary-General that the application of the United Nations salary scale to UNAFRI, which has its own staff regulations and financial regulations and rules, should be conditional on an extensive revision of the UNAFRI rules in order to accommodate the related provisions of the Staff Rules and Regulations and the Financial Regulations and Rules of the United Nations, which govern the salaries and emoluments of the United Nations staff. Moreover, this would result in the substantial increase of the grant to UNAFRI from the United Nations regular budget from the current level of $380,300 in 2002-2003 to an estimated $1,876,800 (6 Professional and 10 General Service staff) in 2004-2005 in rates

prevailing in 2002-2003. If the proposals of the UNAFRI Governing Board to apply United Nations salary scales to UNAFRI staff were to be adopted by the Third Committee, a statement of programme budget implications would need to be provided in line with the rules of procedure of the General Assembly.

V. Strategies for sustaining the Institute

35. In its resolution 56/122, the General Assembly commended the Institute for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice. At the same time, the Secretary-General was requested to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate. Furthermore, the Secretary-General was requested to mobilize the financial resources necessary to maintain the Institute and to make concrete proposals, including the provision of additional core professional staff required to strengthen the programmes and activities of the Institute in order to enable it to function effectively in the fulfilment of its mandated obligations.

36. As a follow-up, CICP and ECA have intensified their efforts to mobilize the entities of the United Nations system to provide assistance and technical support to UNAFRI for its sustenance.

37. On its part, the Governing Board, at its seventh ordinary session, deliberated comprehensively the critical issue of the Institute's continuity and vitality. In this regard, the Board commended the African heads of Missions resident in Kampala for their considered concrete proposals towards the sustenance of the Institute, entailing mobilization of support and targeted fund-raising through strengthened operations and intensified publications, as well as improved packaging and marketing of activities focused on the priority areas of the stakeholders.

38. Accordingly, the UNAFRI secretariat was strongly urged to formulate a clear medium-term strategy and work plan to guide the operations of the Institute. The proposals were endorsed by the Board and the Director was enjoined to hasten their implementation.

39. Additionally, the Institute was urged to adopt a subregional approach in designing and executing its activities, as well as to rally the support of the African Union in order to deal with the authorities of African countries at the highest level for political support.

40. As a follow-up, the Institute has completed the formulation of the UNAFRI medium-term strategy and action plan 2002-2007 and its implementation plan, with an agenda for action. All the six strategic objectives of the plan aim at showing further the significance and relevance of the regional Institute, striving to apply modern management approaches in its administration in the service of all African countries. To this end, the carefully identified priority areas and specific activities focus on stepping up resource mobilization, with their efficient optimal management. It is hoped that current efforts to sustain and strengthen the capacity of the Institute will achieve the mission of the plan and ultimate fulfilment of its mandate. In the case of one of these strategic objectives, the aim is to strengthen the partnership between the Institute and its member States. This would lead to the expected outcome of transforming UNAFRI into a vibrant and relevant Institute, enjoying the full cooperation and support of its stakeholders.

VI. Conclusions

41. **Bearing in mind the role played by the African Institute for the Prevention of Crime and the Treatment of Offenders in supporting African States to respond effectively and efficiently to the incidences of crime at the national, transborder and transnational levels, which have become major impediments to democratic, political and socio-economic development, and pursuant to the request contained in paragraph 10 of General Assembly resolution 56/122, the following concrete proposals are made to strengthen the Institute and its work programme:**

- **Call upon potential donors and relevant international funding agencies, including, among others, the World Bank and the UNDP Bureau for Africa, to make financial contributions to the Institute for the formulation, coordination and effective implementation of technical assistance projects to be developed within the Institute's work programme**

- **Request the United Nations Fund for International Partnerships to include UNAFRI among its beneficiaries so as to provide financial and technical assistance, including the Institute's capacity-building, to enable the effective implementation of the Institute's approved regional and subregional activities in crime prevention research and action, relating in particular to women and children through social development**

- **Strengthen further the close cooperation and partnership of the Office for Drug Control and Crime Prevention with the Institute.**

42. **African States are determined to respond effectively and efficiently to the widespread problem of criminality, particularly in its transborder and transnational forms, through their positive involvement in active cooperation, coordination and collaboration of efforts in the region. They are also committed to taking crime prevention initiatives and measures to strengthen criminal justice systems. The regional African Institute, with a strengthened capacity, is of great relevance in this regard.**

43. **For the Institute to fulfil its mandate, however, it is important to rely on the cooperation and support of its member States, other agencies and the General Assembly. If it can count on a sound and reliable financial base, with a full complement of core professional staff, the Institute can be more attuned to attract technical cooperation and working partnerships with Governments and donor agencies.**